

**BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2003-327-C**

IN RE: Continued Availability of Unbundled       )  
High Capacity Loops at Certain Locations and       )  
Unbundled High Capacity Transport on Certain       )  
Routes Pursuant to the Federal Communication       )  
Commission's Triennial Review Order                )  
\_\_\_\_\_)

**PBT COMMUNICATIONS, INC.'S OBJECTIONS AND RESPONSES TO  
BELLSOUTH'S FIRST SET OF INTERROGATORIES (Nos. 1-27)**

PBT Communications, Inc. ("PBT"), pursuant to the South Carolina Rules of Civil Procedure, the South Carolina Public Service Commission's Rules of Practice and Procedure (S.C. Code of Regulations R. 103-800, *et seq.*), and Commission Order No. 2003-730 ("Procedural Order"), objects generally and specifically to BellSouth Telecommunications, Inc.'s ("BellSouth") First Set of Interrogatories ("BellSouth's Interrogatories") to PBT, served on December 8, 2003 as described below, and provides the responses to BellSouth's Interrogatories as set forth below.

PBT reserves the right to amend, supplement, or revise these objections, and assert additional objections, should PBT discover additional grounds for objecting at any time prior to hearing.

**General Objections to BellSouth's Interrogatories**

1. PBT objects to BellSouth's Interrogatories to the extent that the interrogatories are overly broad, lack specificity, are unduly burdensome or excessively time-consuming, or are irrelevant and not likely to lead to the discovery of admissible evidence pursuant to the Procedural Order, the South Carolina Rules of Civil Procedure, or applicable South Carolina law.

2. PBT objects to BellSouth's Interrogatories to the extent that the interrogatories seek discovery of information protected by attorney-client privilege, the work product doctrine, the accountant-client privilege, or any other applicable privilege.

3. PBT objects to BellSouth's Interrogatories to the extent that the interrogatories purport to impose discovery obligations on PBT beyond the scope of what is permitted under the Procedural Order, the South Carolina Rules of Civil Procedure, or applicable South Carolina law.

4. PBT objects to BellSouth's Interrogatories to the extent that the interrogatories purport to seek discovery of matters other than those subject to the jurisdiction of the Commission pursuant to the Federal Communications Commission's ("FCC") Triennial Review Order ("TRO") or applicable South Carolina law.

5. PBT objects to all Interrogatories that require the disclosure of information that already is in the public domain, that is in the possession of BellSouth or is readily obtainable by BellSouth, or that is otherwise on record with the Commission or the FCC.

6. PBT objects to BellSouth's Interrogatories to the extent that the interrogatories seek information and discovery of facts known and opinions held by experts acquired and/or developed in anticipation of litigation or for hearing and outside the scope of discoverable information pursuant to the South Carolina Rules of Civil Procedure or applicable South Carolina law.

7. PBT objects to BellSouth's Interrogatories to the extent that they request specific financial, business or proprietary information regarding PBT's economic business model, on the grounds that those requests presume that the market entry analysis is contingent upon PBT's economic business model instead of the hypothetical business model contemplated by the TRO.

8. PBT objects to BellSouth's Interrogatories to the extent that the information requested constitutes "trade secrets" or confidential research, development, or commercial information, or to the extent that the information requested would require the disclosure of customer specific information.

## **RESPONSES**

### **INTERROGATORY NO. 1**

Affirm or deny that you have self-provided high capacity transport facilities that you own (i.e., any DS3 or greater facilities, including dark fiber) that provide transport along a route between a pair of ILEC central offices or wire centers in each/any of the nine Southeastern states for use in your own operations. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each central office of the pair and be operationally ready to provide transport into or out of each office of the pair. Answer this question in the affirmative if you are self-providing such facilities For purposes of this -question, you "own" transport facilities if (i) you have legal title to the facility; or (ii) if you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

Sample Form for Response to Question 1									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

**RESPONSE:**

Deny as to all states.

**INTERROGATORY NO. 2**

Affirm or deny that you offer to carriers on a wholesale basis DS 1 or higher transport facilities, or dark fiber transport facilities that you own that provide a route between a pair of ILEC central offices or wire centers, to one or more pair of wire centers, in each/any of the nine states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample Form for Response to Question 1									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

**RESPONSE:**

Deny as to all states.

**INTERROGATORY NO. 3**

Affirm or deny whether you have acquired on a wholesale basis from a third party (other than the ILEC or a CLEC that is a party to this proceeding) DS1, DS3, or dark fiber transport between two or more ILEC central offices in each/any of the Southeastern states. The facilities must terminate to an active physical or virtual collocation (includes all types of collocation, not just those qualifying under section 251 (c)(6)) at each end of the transport route) associated with each office of the pair and be operationally ready to provide transport into or out of each office in the pair.

Sample Form for Response to Question 2									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

**RESPONSE:**

Deny as to all states.

**INTERROGATORY NO. 4**

For each state in Question 1 that you answered in the affirmative (that you have deployed or self-provide high capacity transport for use in your own operations), provide a list of all the paired ILEC CO to ILEC CO routes on which you have deployed such facilities identifying:

- a. The CLLI codes of the paired ILEC CO locations that make up each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A

- and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
- b. Whether your self-provided transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code for the collocation arrangement.
  - c. Whether your self-provided transport facilities are provisioned entirely on facilities you own (as defined in Question 1).
  - d. If any of your self-provided transport facilities include facilities obtained through third parties (Yes, No), if your response is yes, indicate the vendor name.
  - e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)
  - f. Whether you are able to immediately provide transport along the particular route.
  - g. The capacity deployed and the capacity active on the route as of September 30, 2003.

**RESPONSE:**

Not applicable.

**INTERROGATORY NO. 5**

For each state in Question 2 that you answered in the affirmative (that you offer :at wholesale DS1, DS3 or higher, or dark fiber capacity transport) provide a list of all ILEC CO to ILEC CO routes along which you provide such transport identifying:

- a. The CLLI codes of the paired ILEC CO locations that make up the end points of each and every route. In each case show the "low alpha" (alphabetically first) CLLI code as Wire Center A and the "high alpha" CLLI code as Wire Center Z. (Provide the full 11 character CLLI.)
- b. Whether your wholesale transport facilities are terminated to collocations (includes all types of collocation, not just those qualifying under section 251 (c)(6) at each end of the transport route). Provide the customer name of record for the collocation arrangement and 11-character ACTL CLLI code of the collocation arrangement.
- c. Whether your wholesale transport services are provisioned entirely on facilities you own (as defined in Question 2).
- d. If any of your self-provided transport facilities include facilities obtained through third parties, indicate the vendor name.
- e. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis. (Yes, No)

- f. Whether you are willing and able immediately to provide transport along the particular route.
- g. The capacity deployed and the capacity active on the route as of September 30, 2003.

**RESPONSE:**

Not applicable.

**INTERROGATORY NO. 6**

For each state in Question 3 that you answered in the affirmative (that you have acquired on a wholesale basis DS1, DS3 or higher, or dark fiber transport), provide the following in electronic format using the worksheet<sup>1</sup> related to both self-provided (the Question 4 spreadsheet) and wholesale facilities (the Question 5 spreadsheet):

- a. The CLLI codes of the ILEC wire centers or COs of the starting and ending points of the transport routes;
- b. The name of the carrier or company from whom you received or purchased the transport;
- c. Whether you are operationally ready to provide transport using these facilities; and
- d. The capacity deployed and the capacity active on the route, as of September 30, 2003.

**RESPONSE:**

Not applicable.

**INTERROGATORY NO. 7**

If, in response to Questions 4 and 5, you denied any of the specified characteristics, explain in detail the basis for your response. For example, if your wholesale operations are affiliated with another provider, state the name of the provider with whom you are affiliated. State also

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<sup>1</sup> Spreadsheet sent via electronic mail; hard copies provided via U.S. Mail.

whether there are other limitations on your wholesale operations; if so, describe in detail any such limitations.

**RESPONSE:**

Not applicable.

**INTERROGATORY NO. 8**

Affirm or deny that you have self-provided high capacity loop or dark fiber facilities that you own (i.e., any DS3 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states for use in your own operations in providing retail service to your customers. Answer this question in the affirmative if you are self-providing such facilities. For purposes of this question, you "own" a facility (i) if you have legal title to the facility, or (ii) if it you have obtained dark fiber under a long term (10 or more years) IRU and have attached your own optronics to light the facility and are serving customers using the facility. Facilities obtained through any other means, including but not limited to, special access, unbundled network elements or other services or facilities obtained from third parties, should not be included in this response.

Sample Response Form - Question 8: Self-provided facilities for providing retail service									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

**RESPONSE:**

Affirm as to SC. Deny as to all other states.

**INTERROGATORY NO. 9**

Affirm or deny that you offer to carriers on a wholesale basis DS1, DS3 or higher capacity loop facilities or dark fiber that you own (i.e., any DS 1 or greater facilities that provide connections between a switch, wire center, collocation, point of interconnection, etc., and a customer's premises) to one or more customer locations in each/any of the nine Southeastern states. Answer this question in the affirmative if you are offering such facilities. For purposes of this question, you "own" a facility if (i) you have legal title to the facility, or (ii) if you have obtained on an unbundled, leased or purchased basis dark fiber and have attached your own optronics to light the facility. Facilities obtained through any other means, including but not limited to special access, other unbundled network elements or other services obtained from third parties, should not be included in this response.

Sample Response Form - Question 9: Self-provided facilities offered on wholesale basis									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

**RESPONSE:**

Affirm as to SC. Deny as to all other states.

**INTERROGATORY NO. 10**

Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of retail

services to your customers, to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 8 above should not be included in this response.

Sample Response Form - Question 10: 3 <sup>rd</sup> Party facilities leased for providing retail service									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

**RESPONSE:**

Deny as to all states.

**INTERROGATORY NO. 11**

Affirm or deny that you have obtained from a third party (other than the ILEC or a CLEC that is a party to this proceeding), high capacity loops or dark fiber loops for the provisioning of services on a wholesale basis to one or more customer locations in each/any of the nine Southeastern states. Self-provided facilities that you "own" as defined in 9 above should not be included in this response.

Sample Response Form - Question 11: 3 <sup>rd</sup> Party facilities leased for reselling as wholesale service									
	AL	FL	GA	KY	LA	MS	NC	SC	TN
Affirm									
Deny									

**RESPONSE:**

Deny as to all states.

## **INTERROGATORY NO. 12**

For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets)<sup>2</sup> identifying:

- a. The RSAG valid address of each customer location.
- b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
- c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
- d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
- e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to address such restrictions.
- f. The capacity deployed and capacity activated to the specific location as of September 30, 2003.

## **RESPONSE:**

PBT objects to this interrogatory on the grounds that the information requested is irrelevant, not reasonably calculated to lead to discovery of admissible evidence, is unduly burdensome, and seeks proprietary and confidential business information the disclosure of which could be damaging to PBT's business.

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<sup>2</sup> Spreadsheet sent via electronic mail; hard copies provided via U.S. Mail.

### **INTERROGATORY NO. 13**

For each state in Questions 9 and 11 that you answered in the affirmative (that you offer at wholesale DSI, DS3 or higher capacity loops) provide a list of the customer locations to which you have provided such loops (in electronic format using the attached spreadsheets),<sup>3</sup> identifying:

- a. The RSAG valid address of each customer location.
- b. The CLLI code of the location from which the loop is extended to the customer location. (Provide the full 11-character CLLI.)
- c. Indicate whether the facility is wholly owned by you (Yes, No); if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities.
- d. Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis or UNE basis (Yes, No).
- e. Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA). This includes access to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to eliminate such restrictions.
- f. Indicate whether other carriers have access to these wholesale facilities at a technically feasible point (e.g., manhole, meet point, collocation, etc).
- g. The capacity deployed and capacity activated to the specific location as of September 30, 2003.

### **RESPONSE:**

PBT objects to this interrogatory on the grounds that the information requested is irrelevant, not reasonably calculated to lead to discovery of admissible evidence, is unduly burdensome, and seeks proprietary and confidential business information, the disclosure of which could be damaging to PBT's business.

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<sup>3</sup> Spreadsheet sent via electronic mail; hard copies provided via U.S. Mail.

#### **INTERROGATORY NO. 14**

Provide a list of all BellSouth wire centers in the Southeastern states to which you are currently in the process of deploying, or plan to deploy transport facilities and/or loop facilities. List wire centers if this deployment is in process or will take place from the time period beginning October 1, 2003 through December 31, 2004.

#### **RESPONSE:**

St. Andrews, Columbia SC central office.

#### **INTERROGATORY NO. 15**

List all BellSouth wire centers in the Southeastern states where you have collocation, either virtual or physical. In Microsoft Excel format, list the 11-character wire center CLLI code and the CLLI code designating each arrangement you have within that wire center. For each wire center listed identify:

- a. The type of collocation (caged, cageless, shared, virtual, other (with a description)) and identify the total amount of space currently occupied and reserved for future growth;
- b. The type of equipment and number of equivalent DS0 channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
- c. The transmission facilities and number of equivalent DSO channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).
- d. The amount of unused or excess space in each collocation space.
- e. The number of active and inactive DS I cross connects
- f. The number of active and inactive DS3 Cross-connects
- g. The number of active and inactive 2-fiber cross-connects
- h. The number of active and inactive 4-fiber cross-connects.
- i. State whether you have deployed fiber "entrance" facilities that you own which connect to the collocation arrangements identified.

- j. State whether you have fiber "entrance" facilities that you have obtained from a person other than BellSouth which connect to the collocation arrangements identified.
- k. State whether you have fiber cross-connects which connect the identified arrangement(s) to other persons collocated at the same wire center. If yes, (i) identify all carriers to which your arrangements are connected within the wire center; and (ii) identify the capacity or type of connection.

**RESPONSE:**

None.

**INTERROGATORY NO. 16**

Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states to which you have deployed high capacity transport facilities that are operationally ready to provide dedicated transport along a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. *This interrogatory varies from Interrogatory No.: 1 in this docket as it seeks wire centers/central offices even if you are not actually providing transport from the locations: it also seeks wire centers/central offices that your facilities route through directly or indirectly. For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route, for example, using the diagram below, the IXC transport route should be identified:*

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- d. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;

- e. The total active capacity and number of fiber strands deployed as of the most recent date available;
- f. Whether you are able and able immediately to provide DS1 transport, on a wholesale basis, over the transport facilities;
- g. Whether you are wiling and able immediately to provide DS3 transport, on a wholesale basis, over the transport facilities;
- h. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- b. The type of collocation at which the facilities terminate;
- c. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement
- d. The total active capacity and number of fiber strands deployed as of the most recent date available;
- e. The type of facility (e.g., fiber, coaxial cable, etc.).

**RESPONSE:**

None.

**INTERROGATORY NO. 17**

For each central office/wire center identified in response to Interrogatory No. 16:

- a. Are your transport facilities operationally ready to provide dedicated transport between the central office/wire center identified and any other ILEC wire center on the same list?
- b. If your responses to part (a) above is negative, identify each such the ILEC central offices on the list that does not satisfy part (a) and explain with particularity why not.

**RESPONSE:**

Not applicable.

## **INTERROGATORY NO. 18**

Provide a list of all BellSouth wire centers and/or central offices in the Southeastern states from which you offer to other carriers on a wholesale basis DS1 or higher transport facilities, or dark fiber transport facilities that provide a route, directly, or indirectly through a location not affiliated with BellSouth, to one other BellSouth central office. The facilities must terminate to an active collocation arrangement. This interrogatory varies from Interrogatory No.2 in this docket as it seeks wire centers/central offices that your facilities route through directly or indirectly, For example, in answering this Interrogatory, provide information about facilities that may indirectly provide transport along a route for example using the diagram below, the transport route between IXC - points of presence ("POP ") should be identified:

BST wire center→IXC POP←→IXC POP→BST wire center

For each central office or wire center that you list, identify:

- a. The CLLI code of the central office.
- f. The type of collocation at which the facilities terminate;
- g. The customer name of record for the collocation arrangement and the 11-character CLLI code for the collocation arrangement;
- h. Indicate whether the facilities are provided over dark fiber you have obtained from BellSouth;
- i. The total active capacity and number of fiber strands deployed as of the most recent date available;
- j. Whether you are able and able immediately to provide DS 1 transport, on a wholesale basis, over the transport facilities;
- k. Whether you are willing and able immediately to provide DS3 transport, on, a wholesale basis, over the transport facilities;
- l. Whether you are willing and able immediately to provide dark fiber transport, on a wholesale basis, over the transport facilities.

## **RESPONSE:**

None.

## **INTERROGATORY NO. 19**

For each central office/wire center identified in response to Interrogatory No. 18:

- a. Are you willing and able immediately to provide high capacity transport, on a wholesale basis, over transport facilities between the wire central office/wire center identified and any other ILEC wire center on the same list?

- b. If your responses to part (a) above is negative, identify each such the ILEC central office/wire center on the list that does not satisfy part (a) and explain with particularity why not.

**RESPONSE:**

Not applicable.

**INTERROGATORY NO. 20**

Identify the points within all Southeastern states at which you connect your local network facilities to the networks of other carriers, including but not limited to interconnection with other CLECs, interexchange carriers, internet service providers at any point of presence ("POP"), network access point ("NAP"), collocation hotels, data centers, or similar facility. This interrogatory may be answered with network diagrams.

**RESPONSE:**

Senate Street, Columbia SC central office.

**INTERROGATORY NO. 21**

Identify the points within all Southeastern states at which you connect your local network facilities to BellSouth's network, including but not limited to any and all points of presence ("POP"). This interrogatory may be answered with network diagrams.

**RESPONSE:**

St. Andrews, Columbia SC central office.

## **INTERROGATORY NO. 22**

On an MSA-specific basis, in the southern states please describe with specificity the configuration of your transport and/or loop facilities; including, but not limited to: (a) the configuration of your facilities (e.g., point to point or ring configuration); (b) the customer specific locations that are accessible from your facilities; and (c) a list of all customer units accessible in a multi-tenant building.

### **RESPONSE:**

PBT objects on the grounds that the information requested is irrelevant, not reasonably calculated to lead to the discovery of admissible evidence, and seeks proprietary and confidential business information, the disclosure of which could be damaging to PBT's business. Specifically, the information sought by this interrogatory is beyond the scope of the definition of transport as redefined by the TRO. The FCC expressly rejected adoption of an impairment test based on each link between two incumbent local exchange carrier offices (so called "daisy chaining") at paragraph 402 of the TRO.

## **INTERROGATORY NO. 23**

Provide a list of all fiber rings in the Southeastern states you own or control and identify the location (by street address) of each add-drop multiplexer or comparable facility for connection other transport facilities (e.g., wire centers, loops, other fiber rings) to the fiber ring.

### **RESPONSE:**

PBT objects on the grounds that the information requested is irrelevant, not reasonably calculated to lead to the discovery of admissible evidence, and seeks proprietary and confidential business information the disclosure of which could be damaging to PBT's business. In

paragraphs 335 and 410 of the TRO, the FCC establishes the factors to be considered in a potential deployment case. The information sought by BellSouth is beyond the scope of these factors. The FCC expressly rejected adoption of an impairment test based on each link between two incumbent local exchange carrier offices (so called “daisy chaining”) at paragraph 402 of the TRO.

#### **INTERROGATORY NO. 24**

Identify each shared or non-BellSouth location (e.g., collocation hotel) in the Southeastern states in which you are located. For each such location state:

- a. The type of collocation or sharing/leasing of space for placement of equipment (e.g., caged, cageless, shared, or virtual);
- b. The type of equipment and number of equivalent DSO channels for all services in the collocation space (e.g., DLC, remote switches, multiplexers, transmission terminals, etc.).
- c. The transmission facilities and number of equivalent DSO channels for all services used to connect the office to your switch or non-ILEC switching provider (e.g., BellSouth UNEs, BellSouth special access, self provision, third party provision).

#### **RESPONSE:**

PBT objects on the grounds that the information requested is irrelevant, not reasonably calculated to lead to the discovery of admissible evidence, and seeks proprietary and confidential business information the disclosure of which could be damaging to PBT’s business. Specifically, the information sought by this interrogatory is beyond the scope of the definition of transport as redefined by the TRO. The FCC expressly rejected adoption of an impairment test based on each link between two incumbent local exchange carrier offices (so called “daisy chaining”) at paragraph 402 of the TRO.

### **INTERROGATORY NO. 25**

For each arrangement identified in response to Interrogatory 24 and in response to Interrogatory 16, please list the types of services that are provided utilizing such an arrangement.

- a. List all types of services you offer to your end users from each collocation space describe or demand and the quantity of each service you provide and/or offer.
- b. For each service identified in (a), list the average monthly revenue associated with each type of service.

### **RESPONSE:**

PBT objects on the grounds that the information requested is irrelevant, not reasonably calculated to lead to the discovery of admissible evidence, and seeks proprietary and confidential business information the disclosure of which could be damaging to PBT's business. Specifically, the information sought by this interrogatory is beyond the scope of the definition of transport as redefined by the TRO. The FCC expressly rejected adoption of an impairment test based on each link between two incumbent local exchange carrier offices (so called "daisy chaining") at paragraph 402 of the TRO.

### **INTERROGATORY NO. 26**

Provide a list of all customer locations in each/any of the Southeastern states at which you have deployed high capacity loop facilities (DS3 or greater facilities, including dark fiber) that you own and where you are serving customers using those facilities. *This interrogatory varies from Interrogatory No. 8 in this docket as it is not limited to loop facilities solely used to provide retail service. For each customer location, identify:*

- a. The RSAG valid address of the customer location;

- b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc. from which the loop is extended to the customer location (by 11 character CLLI);
- c. Whether you have the unrestricted ability to serve all customers at that location, if the location is a multi-tenant location. If not, explain with particularity why not, including any restrictions on your ability to serve customers and the steps you have taken to address such restrictions.
- d. The total active capacity and the number of fiber strands on your facilities at the specific customer locations using the most recent data available;
- e. Whether your facilities are operationally ready to provide DS3 loops at the specific customer location.

**RESPONSE:**

Not applicable.

**INTERROGATORY NO. 27**

Describe with particularity all factors you consider when deciding whether to extend high capacity loop or transport facilities to:

- a. pick up additional traffic;
- b. pick up additional or new customers;
- c. pick up additional or new buildings.

**RESPONSE:**

PBT objects to this interrogatory on the grounds that the information requested is irrelevant, not reasonably calculated to lead to discovery of admissible evidence, is unduly burdensome, and seeks proprietary and confidential business information the disclosure of which could be damaging to PBT's business.

All objections to the foregoing interrogatories were provided by the undersigned counsel. Substantive responses to all of the foregoing interrogatories were provided by L.B. Spearman, PBT Communications, Inc., 1660 Juniper Springs Road, Gilbert, South Carolina 29054.

Respectfully submitted this 21st day of January, 2004.

/s/\_\_\_\_\_  
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